

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Backward Classes Welfare Department – Vigilance Cell – Visakhapatnam District – Surprise Check conducted by the Anti Corruption Bureau on Govt. Boy's Hostel, K.Kotapadu, during the year 1992 – Initiation a of disciplinary action against Sri M.Demudu, Hostel Welfare Officer(Retd.), - Imposition of penalty of 2% cut in pension for 5 years only, besides recovery of an amount of Rs.10,402/- from the individual – Orders – Issued.

BACKWARD CLASSES WELFARE (VIGILANCE CELL) DEPARTMENT

G.O.Ms.No. 31

Dated:18thJune 2009.

Read the following:

1. Charge Memo.Rc.No.419/2002/A1/BCW, dt:17-6-2003 of the District Collector, Visakhapatnam.
2. Explanation of Sri K.Demudu, HWO, dt:4-8-2003.
3. Progs. Rc.No.419/03/A1/BCW, dt:15-06-2005 of the District Collector, Visakhapatnam.
4. Enquiry report of Executive Director, S.C.Corporation, Visakhapatnam.
5. Show-Cause notice, Rc.No.419/2002/A1/BCW, dt:9-7-08 of the District Collector, Visakhapatnam.
6. From the Explanation of Sri M.Demudu, HWO(Rtd.), G.B.C. Boys Hostel, Govada, Kajaluru, Visakhapatnam, dt:14-7-2008.
7. From the Dist Collector, Visakhapatnam, Lr.Rc.No.419/2002/A1/BCW, dt:18.10.2007 and dt:27.9.2008.
8. Govt. Lr.No.220/Vig.Cell/A2/2008-5, dt.24.2.2009.
9. From the APPSC, Lr.No.261/RT-I/3/04, dt.13.3.2009.
10. Govt.Memo.No.220/Vig.Cell/A2/2008-6, dt.24.3.2009.
11. Representation from Sri.M.Demudu, HWO(Retd.), dt.14.4.2009.

ORDER:

1. It was brought to the notice of the Govt., that the Anti Corruption Bureau conducted surprise check of B.C.Boys hostel, K.Kotapadu on 16.11.1992 and 17.11.1992 for which Sri M.Demudu, is the Warden and noticed certain irregularities and misappropriation of Government Funds by the Warden Sri.M.Demudu. The District Collector, Visakhapatnam has awarded punishment of demotion from Grade-I to Grade-II Warden and ordered for recovery of shortage worth of stock value of Rs.12,433/-, vide Procdgs. Rc.No.243/93/A1/BCW, dt:25.3.1994 of the District Collector, Visakhapatnam. Aggrieved by the orders, Sri M.Demudu filed an O.A.No.636/98 and the Hon'ble A.P. Administrative Tribunal, Hyderabad, has set aside the orders stating that the orders were passed in violation of the requirement of A.P. Civil Services (CC&A) Rules which are substantive nature, however it was ordered that it is open to the respondents to take any further action in the matter strictly following the A.P. Civil Services (CC&A) Rules.

2. In the reference 1st read above, the District Collector, Visakhapatnam has furnished the fresh draft articles of charges against Sri M.Demudu, Warden, and issued Charge Memo, along with statement of articles of charge to Sri.M.Demudu, Warden and requested to submit his written statement of defence. The individual has submitted his written statement of defence in the reference 2nd read above. After having examined his explanation and found it not convincing. Since the charges were denied by the delinquent

Contd....

officer, the Executive Director, S.C.Corporation, Visakhapatnam District was appointed as an Enquiry Officer to inquire into the charges leveled against Warden in the reference 3rd read above. The Enquiry Officer has conducted inquiry against Sri.M.Demudu, Warden, and submitted his enquiry report to the District Collector, Visakhapatnam, in the reference 4th read above.

3. In the reference 5th read above, the District Collector, Visakhapatnam, has disagreed with the recommendations of the Enquiry Officer and observed that the charge No. II, IV, V, VI, VII and VIII are ought to be held proved and communicated the disagreement factors along with enquiry report to Sri M.Demudu, Warden, and requested to submit his explanation thereon.

4. In the reference 6th read above, Sri M.Demudu, Hostel Welfare Officer (Retd) has submitted his explanation to the District Collector Visakhapatnam, and stated that, the allegations leveled against him, were false and baseless and requested the District Collector, Visakhapatnam to sanction full pension.

5. In the reference 7th read above, the Dist. Collector, Visakhapatnam has proposed to initiate disciplinary action against Sri M.Demudu, Hostel Welfare Officer (Retd), under the provisions of A.P. Civil Services (CC&A) Rules, 1991 for violation of Rule 3 of A.P. Conduct Rules, 1964 besides recovery of an amount of Rs.10,402/- and departmental action against the delinquent officer Sri M.Demudu, Hostel Welfare Officer, and requested the Government to take action under rule 9 of A.P. Revised Pension Rules, 1980, as the individual was retired from service on 30.6.2007.

6. Government after careful examination of the matter and findings of the inquiry officer, with reference to material on record and keeping in view of the gravity of charges, have provisionally decided to Impose penalty of 2% of cut in pension for 5 years, besides recovery of an amount of Rs.10,402/- from his pensionary benefits/gratuity of Sri M.Demudu, Hostel Welfare Officer (Retd), under Rule 9 of A.P. Revised Pension Rules, 1980.

7. In the reference 9th read above, A.P. Public Service Commission has given their concurrence to the provisional decision taken by the Govt., and as advised by them, a Show-Cause Notice has been issued to Sri.M.Demudu, Hostel Welfare Officer, on the provisional decision taken by the Govt. to impose penalty of 2% cut in pension for 5 years, besides recovery of an amount of Rs.10,402/- from him and requested to submit his representation in the reference 10th read above. Sri.M.Demudu, Hostel Welfare Officer has submitted his representation to the Government and requested to drop further action against him, and release full pension, in the reference 11th read above.

8. Government after careful examination of the representation of Sri.M.Demudu, Hostel Welfare Officer (Retd.) hereby impose the penalty of 2% cut in pension for 5 years, besides the recovery of an amount of Rs.10,402/- from his pensionary benefits / gratuity of Sri.M.Demudu, Hostel Welfare Officer (Retd.), under Rule 9 of A.P. Revised Pension Rules, 1980.

Contd...

9. The District Collector, Visakhapatnam, shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**T.SATYANARAYANA RAO,
SECRETARY TO GOVERNMENT**

To,

Sri.M.Demudu, Hostel Welfare Officer (Retd.), through the District Collector, Visakhapatnam.

The District Collector, Visakhapatnam, (He is requested to serve the copy on the individual immediately and intimate the same to Government).

The Director, B.C.Welfare, A.P., Hyderabad.

The District B.C.Welfare Officer, Visakhapatnam.

Copy to:

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary, A.P.Vigilance Commission, Hyderabad.

The District Treasury Officer, Visakhapatnam.

The Accountant General, A.P., Hyderabad.

SC/SF.

// FORWARDED :: BY ORDER //

SECTOIN OFFICER